

STATEMENT OF PURPOSE

RS18290

This bill is one of a series of bills that the Supreme Court has recommended in its annual report to the Governor concerning defects or omissions in the laws, as required under article V, section 25 of the Idaho Constitution. Idaho Code § 18-1505B(4) makes it a felony to commit sexual exploitation of an vulnerable adult – essentially, making or distributing pornographic material involving an adult who lacks the understanding or capacity to make, communicate or carry out decisions for himself or herself. The statute defines “sexually exploitative material” by referring to the definition in Idaho Code § 18-1507, which addresses the use of a child in sexual acts. The reference to material involving a child is inapplicable to the statute prohibiting sexual exploitation of a vulnerable adult and could cause confusion as to the elements of this crime. This bill would provide a definition of “sexually exploitative material” that refers to vulnerable adults, rather than children.

FISCAL NOTE

This bill would have no impact on the general fund.

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